

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

JOSEPH VAN LOON; TYLER ALMEIDA;
ALEXANDER FISHER; PRESTON VAN LOON;
KEVIN VITALE; and NATE WELCH,

Plaintiffs,

- against -

DEPARTMENT OF THE TREASURY; OFFICE OF
FOREIGN ASSETS CONTROL; JANET YELLEN,
in her official capacity as Secretary of the Treasury; and
ANDREA M. GACKI, in her official capacity as Director
of the Office of Foreign Assets Control,

Defendants.

No. 1:23-cv-312-RP

AFFIDAVIT OF TYLER ALMEIDA

Tyler Almeida declares as follows:

1. I am senior security risk analyst at Coinbase. In that capacity, I work with threat modelers and vulnerability assessors to identify and quantify security and privacy risks for the company, and design compensating controls to mitigate those risks.

2. I am a citizen of the United States of America.

3. I currently reside in California.

4. I am not a terrorist or a criminal.

5. I do not launder money.

6. I am not a member of the government of North Korea or the North Korean Workers' Party.

7. I do not support terrorism, illegal activity, the government of North Korea, or the Korean Workers' Party.

8. I submit this declaration in support of Plaintiffs' Motion for Partial Summary Judgment in the above-captioned case.

9. I am familiar with all of the allegations set forth in the Amended Complaint filed in this action. Those allegations are true and correct to the best of my knowledge and belief.

10. I am personally familiar with the facts stated in this declaration.

Use of Tornado Cash

11. I own crypto assets.

12. I maintain a public crypto wallet address that can be traced to me.

13. I have used Tornado Cash in the past and would use it again in the future if Tornado Cash were not sanctioned.

14. For example, in March 2022, I used Tornado Cash to donate relief funds to the Ukrainian government's publicly posted crypto wallet address following Russia's invasion of Ukraine.

15. To anonymize my donation and prevent my financial history from being associated with my political views, I sent 0.5 ETH to Tornado Cash, which is worth approximately \$800 today. I used 0.2 ETH of the cryptocurrency I sent to Tornado Cash to make a donation that would be worth approximately \$350 today. The remaining 0.3 ETH, worth approximately \$500 today, remains locked in Tornado Cash smart contracts.

16. I used Tornado Cash for this donation because I was afraid that crypto wallets that donated to Ukraine's public address (and addresses associated with those donor wallet addresses) would be targeted by Russian state-sponsored hacking groups.

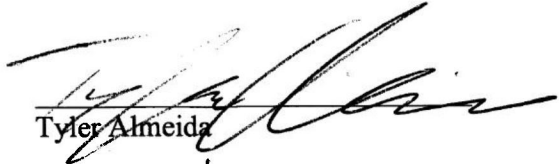
17. I believe Tornado Cash's privacy protocols are safe. In the absence of Tornado Cash, I am concerned about the potential for my financial history to be used as part of a spam-and-scam scheme that could enable malicious actors to gain access to my private or work accounts.

18. For example, since my donation, the anonymized wallet address I established to make the donation has received unwanted air drops of non-fungible tokens from potentially malicious external sources. Those air drops are disruptive and potentially part of a scam.

19. As a result of OFAC's sanctions, 0.3 ETH of my funds are now trapped because I am prohibited from interacting with the Tornado Cash smart contracts in order to withdraw the funds.

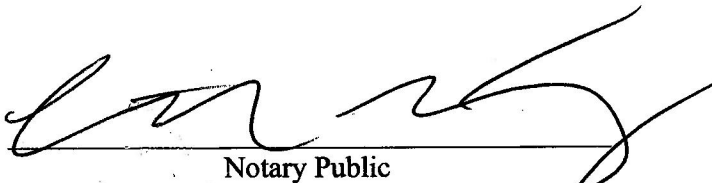
20. If Tornado Cash were no longer designated, I would use Tornado Cash again to recover my trapped funds and to make future transactions while protecting my privacy and security.

I, Tyler Almeida, swear or affirm and declare under penalty of perjury that the foregoing is true and correct.


Tyler Almeida
Dated 3/30, 2023

State New York
County of New York
City of New York

Subscribed and sworn to or affirmed before me
this 30th day of March in the year 2023.



Notary Public
(sign and affix seal or stamp)

CRYSTAL KANG
Notary Public, State of New York
No. 01KA6441347
Qualified in Suffolk County
Certificate Filed in New York County
Commission Expires September 26, 2026